



PTO/SB/30 (08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 1.32, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA)	Application Number	09/938,793
	Filing Date	August 24, 2001
	First Named Inventor	Donald L. Nisley et al.
	Group Art Number	3683
	Examiner Name	Torres, Melanie
	Attorney Docket Number	01RE025/YOD (DODG:0044)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14965 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

 i ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
 (Any unentered amendment(s) referred to above will be entered).

 ii ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

 iii ☐ Other _____

b. ☒ Enclosed

 i ☐ Amendment/Reply

 ii ☐ Affidavit(s)/Declaration(s)

 iii ☐ Information Disclosure Statement (IDS)

 iv ☒ Other Preliminary Amendment

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) (required))

b. ☐ Other _____

3. **Fee**

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **01-0857; Order No. 01RE025/YOD (DODG:0044)**

 i ☒ RCE fee required under 37 C.F.R. § 1.17(e)

 ii ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

 iii ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Ralph A. Graham	Registration No. (Attorney/Agent)	47,607
Signature		Date	April 30, 2003

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:			
Name (Print/Type)	Carla Deblaw	Date	April 30, 2003
Signature		Date	April 30, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.